



FIRST NATIONS WATER RIGHTS IN BRITISH COLUMBIA

*A Historical Summary of the rights of the
Lower Kootenay First Nation*



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***FIRST NATIONS WATER RIGHTS IN
BRITISH COLUMBIA:***

***A Historical Summary of the rights of the
Lower Kootenay First Nation***

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Gary Robinson
Project Manager
Water Management Branch

TABLE OF CONTENTS

LOCATION.....	1
WATER ALLOCATIONS.....	2
HISTORY, CURRENT STATUS AND NOTES.....	2
China Cup Creek	
History.....	3
Current Status.....	5
Notes	5
Goat River (Luke's Marsh)	
History.....	5
Current Status.....	7
Notes.....	7
Kootenay River	
History	8
Current Status.....	9
Notes.....	9
Whiskey Creek	
History.....	9
Current Status.....	10
Notes	10
OTHER INFORMATION.....	11

APPENDICES

TAB NO.

1. TABLE: Summary of Water Records for the Lower Kootenay Band.
2. LICENCES AND PLATS
Conditional Licences 5034, 15771, 19837, 34816, 46873, 46941, 53930, 55835,
and Final Licence 15441.
3. STREAM REGISTER REPORTS
China Cup Creek, Goat River, Kootenay River, and Whiskey Creek.
4. WATER SURVEY OF CANADA RECORDS
China Cup Creek, Goat River, and Kootenay River.
5. COPY OF DATA SUMMARY OF GROUNDWATER RECORDS.
6. MAP: Lower Kootenay Reserves Nos. 1 (Creston), 2, 3, 4, 5, 1A, 1B, 1C

FIRST NATIONS WATER RIGHTS REPORT

BAND: Lower Kootenay Indian Band
ADDRESS: P.O. Box 1107, Creston, B.C., V0B 1G0
CHIEF: Wayne Louie
PHONE: 428-4428 **FAX:** 428-7686
AFFILIATION: Ktunaxa-Kinbasket Tribal Council

LOCATION:

The Lower Kootenay Indian Band occupy 8 reserves in the vicinity of the Town of Creston. The reserves include:

Creston No. 1	Lower Kootenay No. 2
Lower Kootenay No. 1A	Lower Kootenay No. 3
Lower Kootenay No. 1B	Lower Kootenay No. 4
Lower Kootenay No. 1C	Lower Kootenay No. 5

Of the eight reserves, only Creston No. 1, Lower Kootenay No. 1A, and Lower Kootenay No. 1B have water allocations recorded to them.

The three reserves with records of water allocations are located south of Kootenay Lake, southeast of the Town of Creston along the eastern edge of the Kootenay River. Lower Kootenay No. 1B, is located approximately 3 km southeast of Creston, and occupies 1193.9 acres. Lower Kootenay No. 1B is bordered on the north and the east by the Goat and the Kootenay Rivers, respectively. Creston No. 1, forming 1802.8 acres, lies immediately to its south of Lower Kootenay No. 1B, 5 km southeast of Creston. Lower Kootenay No. 1A is located 8 km south of Creston and occupies 454.9 acres. Like the others, it is defined on the west by the Kootenay River.

The most recent population figures compiled by the Ministry of Finance report that 100 people are living on the Lower Kootenay reserves, including registered and non-registered members. The total population of the Band, including those living off-reserve, is reported as 170.

Located in the southern Kootenays on the Interior Plateau, the Lower Kootenay reserves range in elevation from 1,700 to 2,000 feet above mean sea level. During cool, wet winters, and warm, dry summers, average daily temperatures range from -5 degrees centigrade (January) to between 16 and 20 degrees centigrade (July). Average rainfall for the area totals between 50 and 100 centimetres, annually.

Water courses of significance include:

- China Cup Creek - flows west into the southern portion of Creston No. 1, and terminates within the reserve. China Cup Creek is located just south of Whiskey Creek.
- Goat River - Goat River forms the northern boundary of Lower Kootenay Reserve No. 1B. The River flows west and drains into the Kootenay River. Luke's Marsh is located at the confluence of the Goat and the Kootenay Rivers.
- Kootenay River - defines the western edge of the three reserves. The River flows north into Kootenay Lake.
- Whiskey Creek - flows west into the lower portion of Creston Reserve No. 1 and terminates in the reserve.

WATER ALLOCATIONS:

There are no records of water allocations made by either the Indian Reserve Commission, the Lieutenant Governor-in-Council (by Order-in-Council), or by the Board of Investigation, with respect to the Lower Kootenay Band.

The water rights of the Lower Kootenay Band have been determined by two actions of government over the years:

- 1) Granting of water licenses under the *Water Act*, in response to Federal Government applications requesting authorization for the use of water on reserve lands.
- 2) Actions to amend licensed rights, pursuant to provisions in the *Water Act*.

HISTORY, CURRENT STATUS, AND NOTES:

The history of water rights, the current status of rights and notes for the Lower Kootenay Band with respect to China Cup Creek, Goat River, Kootenay River, and Whiskey Creek, are as follows:

China Cup Creek

History:

- Aug 10, 1920** In accordance with an application filed by the Indian Agent, acting on behalf of the Indian Department, the Comptroller of Water Rights issued Conditional Water License 5034, bearing a date of precedence of June 26, 1919, and authorizing, for irrigation purposes, the use of 25 acre feet per annum (no more than 2.5 acre feet per annum on any one acre). The water is authorized for use from April 1 to September 30, and the appurtenant lands are specified as 9.9 acres of Creston Reserve No. 1.
- Nov 17, 1934** In a letter to C.E. Webb, of the Dominion Water Power and Hydrometric Bureau, the Comptroller of Water Rights stated that incidental use of water for domestic purposes would be noted in connection with Conditional Water License 5034. No formal amendment of the license occurred to reflect this notation.
- Nov 19, 1934** The Comptroller of Water Rights issued an Order with respect to Conditional Water License 5034. The Order extended the time authorized for the completion of works and for making beneficial use of the water, as required under Conditional License 5034, until December 31, 1936.
- Oct 11, 1935** The Superintendent of Indian Affairs filed a petition for a right-of-way over Provincial Crown Lands. The right-of-way was required for works they wished to install, in support of Conditional License 5034.
- There is no indication that a Permit to Occupy Crown Land was issued. The area under petition is now listed as private land. No easements are registered on the property.
- Jan 27, 1937** The Comptroller of Water Rights issued an Order with respect to Conditional Water License 5034. The Order extended the time authorized for the completion of works and for making beneficial use of the water, as required under Conditional License 5034, until December 31, 1938.

- Mar 3, 1939** The Comptroller of Water Rights issued an Order with respect to Conditional Water License 5034. The Order extended the time authorized for the completion of works and for making beneficial use of the water, as required under Conditional License 5034, until December 31, 1941.
- Nov 1, 1943** Based on information given by C.E. Webb in a letter dated Oct. 1, 1943, the Comptroller of Water Rights issued Conditional Water License 15771 to the Director of Indian Affairs, in substitution of Conditional Water License 5034. The license has a precedence date of June 26, 1919, and authorizes the diversion of 1.25 acre feet per annum for irrigation, from April 1 to September 30. One thousand (1,000) gallons per day are authorized for domestic use year-round. The appurtenant lands are specified as 1 acre of Creston Reserve No. 1.
- Jul 19, 1954** The Comptroller of Water Rights issued an Order with respect to Conditional Water License 5034. The Order extended the time authorized for the completion of works and for making beneficial use of the water, as required under Conditional License 15771, until December 31, 1956.
- Apr 12, 1957** The Comptroller of Water Rights issued an Order with respect to Conditional Water License 15771. The Order extended the time authorized for the completion of works and for making beneficial use of the water, as required under Conditional License 5034, until December 31, 1957.
- Mar 24, 1958** The Comptroller of Water Rights issued an Order with respect to Conditional Water License 15771. The Order extended the time authorized for the completion of works and for making beneficial use of the water, as required under Conditional License 5034, until December 31, 1950.
- Aug 24, 1961** A memorandum to the Comptroller from the District Engineer noted that a final license survey for Conditional License 1577 could not be conducted because a lack of suitable land ties existed in the area. According to the Sanitary Inspector at Creston, the water sources were said to contain a high degree of contamination, and another supply for the Village on the reserve should be sought. As a result of these findings, the survey was recommended for delay, and another extension of Conditional Water License 15771 was recommended.

No further extensions have been granted and no information is on file regarding a possible change of water source. No recent information on water use under this license exists.

Jul 12, 1989

A memo on file indicates that Conditional Water License 15771 was inspected. The memo reports that there was no indication of use of works, and it appeared that the works had not been used for more than three years.

Current Status:

Conditional Water License 15771, issued to the Director of Indian Affairs, and Conditional License 17272, issued to the Regional District of Central Kootenay, are the only licenses active on China Cup Creek. Conditional License 17272 authorizes the use of 500 gallons a day for domestic use year-round, and 1.25 acre feet for irrigation purposes from April 1 to September 30. The rights held by Indian Affairs for the Lower Kootenay Band have first priority on China Cup Creek.

Water Survey of Canada records for China Cup Creek indicate Station No. 08NH069 operated for one year only, in 1937. During this period the Station recorded measurements of mean flows for August and September of 0.004 cubic metres per second (75,400 gallons per day) and 0.003 cubic metres per second (57,076 gallons per day), respectively.

Notes:

1. The issue of Conditional Water License 15771 (in substitution of Conditional Water License 5034) resulted in the reduction of the Band's water rights on China Cup Creek.
2. A Permit to Occupy Crown Land, as requested in the Band's 1935 petition, has never been granted. As such, the works that are authorized under Conditional Water License 15771 are now situated on private land, for which no easements are recorded.

Goat River (Luke's Marsh)

History:

Sept 15, 1976

The Comptroller of Water Rights issued two licenses in response to an application from the Minister of Indian Affairs:

- Conditional Water License 46873 was issued to the Minister of Indian and Northern Affairs, bearing a date of precedence of December 16, 1974, and authorizing the diversion and use of up to 800 acre feet per annum from Luke's Marsh for conservation purposes. The license is valid year-round, and is appurtenant to the conservation project of the lessee, within Reserve No. 1B.
- Conditional Water License 46941, also issued to the Minister of Indian and Northern Affairs, bears a date of precedence of December 16, 1974. Conditional License 49641 authorizes the diversion of up to 1,000 acre feet per annum from the Goat River for conservation purposes, at a maximum rate of 5 cubic feet per second. The license is valid year-round on the conservation project of the lessee, within Reserve No. 1B.

There is no evidence in the files to show that an agreement exists between the Band and Ducks Unlimited, for the undertaking of this project on reserve lands.

Aug 21, 1981

The Comptroller of Water Rights issued Conditional Water License 55835 to the Minister of Indian Affairs, bearing a precedence date of September 8, 1980. The license authorizes the diversion and use of up to 900 acre feet per annum, at a maximum rate of 10 cubic feet per second, and such additional quantity as the Engineer may from time to time determine should be allowed for losses. The water is to be used for conservation purposes, and is authorized for diversion from March 1 to March 31 and October 1 to November 30. The license is appurtenant to the conservation project of the lessee, within Reserve No. 1B.

The license states that the rights granted under this license may be deemed to be subsequent to any rights granted under any license, or, licenses that may be issued at any time for the consumptive use of water.

Current Status:

There are 21 current licenses reported on Goat River and Luke's Marsh. Of these licenses:

- 3 licenses are held by Indian Affairs for the lessee Ducks Unlimited, to undertake conservation projects within Reserve No. 1B. The three licenses authorize the use of a total of 900 acre feet per year and 2.48 cubic feet per second, year-round, for conservation purposes.
- 2 licenses authorize the use of water for domestic purposes, for a total of 1,000 gallons a day year-round.
- 10 licenses authorize the use of water for irrigation, effective from April 1 to September 30, for a total of 11,107.75 acre feet per annum.
- 3 licenses authorize the use of water for waterworks, for a total of 130,865,000 gallons per year, year-round.
- 2 licenses authorize the use of a total of 1,800 cubic feet per second year-round for the purpose of land improvement.
- 5 licenses authorize the use of water for various other purposes; general power, processing, stock watering, watering, and enterprise.

The Water Survey of Canada has records from 1914 to 1990 at Station No. 08NH004 on Goat River near Erickson, 6 km upriver from Reserve No. 1B. Over this time period, a maximum mean water flow of 100 cubic metres per second (1.9 billion gallons a day) was recorded in May, and a low of 6.12 cubic metres per second (116.4 million gallons a day) was recorded in January. Flows for this period remained low in the late summer and winter, with ice conditions sometimes present between November and February.

Notes:

1. There is no evidence that the Lower Kootenay Indian Band was consulted with regard to the issue of Conditional Water Licenses 46873, 46941, and 55835 on Goat River.

Kootenay River

History:

Oct 1, 1969

In response to an application filed by the Minister of Indian Affairs on behalf of the Canadian Wildlife Service, the Comptroller of Water Rights issued Conditional Water License 34816, bearing a precedence date of April 9, 1969. Conditional License 34816 authorizes the diversion of 500 acre feet of water per annum, at a maximum rate of 8 cubic feet per second, throughout the year for conservation purposes. The appurtenant lands are specified as that part of Sections 12 and 13, Township 7, lying west of the Creston-Rykerts Highway (Plan 1145); Lot 9997, Indian Reserve No. 1A, and that part of Reserve No. 1 lying south of the dyke and west of the Highway (Plan 1145), all within Kootenay District.

There is no evidence of an agreement between the Band and the Canadian Wildlife Service regarding the operation of this project on Band lands.

July 10, 1980

In accordance with an application filed by the Minister of Indian Affairs, the Comptroller of Water Rights issued Conditional Water License 53930. The license bears a date of precedence of February 2, 1976 and authorizes the use of up to 350 acre feet per annum for conservation purposes. The water is authorized for use year round and the appurtenant lands are specified as the site of the conservation undertaking of the lessee within Creston Reserve No. 1.

Feb 15, 1982

Conditional Water License 34816 is listed as abandoned. It is not evident why the abandonment was initiated. The Canadian Wildlife Service returned their 1982 invoice for license rentals.

Mar 9, 1995

An Amendment Report stated that a Memorandum of Understanding exists between Ducks Unlimited Canada and the Lower Kootenay Band, with regard to the operation of works specified under Conditional Water License 53930. The report further stated that Ducks Unlimited would be replacing the existing pump station. As License 53930 did not authorize a pump, it was recommended an amendment occur by Order under Section 15 (1) (d) of the Water Act, to reflect this inclusion.

This recommendation has not yet been acted on.

Current Status:

There are 15 current licenses reported on Kootenay River. Of these licenses;

- 1 license is held by Indian Affairs for the lessee, Ducks Unlimited, to undertake a conservation project on Creston Reserve No. 1. The license authorizes the use of 0.48 cubic feet per second (258,457 gallons per day), year-round.
- 2 authorize the use of water for domestic purposes, at 500 gallons a day and 1,000 gallons a day, year-round.
- 7 authorize the use of water for conservation purposes, ranging from .48 acre feet to 9,000 acre feet, either year-round or from April 1 to September 30.
- 2 authorize the use of larger quantities of water for irrigation, at 2,000 and 2,400 acre feet of water from April 1 to September 30.
- 6 authorize use of smaller quantities of water for irrigation purposes, from 2.5 acre feet to 250 acre feet, from April 1 to September 30.
- 1 authorizes the use of 6,000 gallons a day for stock watering.

Water Survey of Canada records from Station No. 08NF001, located at Kootenay Crossing, approximately ten kilometres downstream from Reserve No. 1B, have recorded flows on Kootenay River from 1939 to 1990. Records taken during this period report that the mean flow peaked during June, at 20.0 cubic metres per second (380 million gallons a day), and the low occurred during March, at 0.176 cubic metres per second (3.3 million gallons a day).

Notes:

1. There is no evidence that the Band was consulted with regards to either the development or the abandonment of the project authorized under Conditional License 34816.

Whiskey Creek**History:**

Dec 1, 1950

In accordance with an application filed by the Indian Affairs Branch, the Comptroller of Water Rights issued Conditional Water License 19837 bearing a precedence date of August 7, 1950, and authorizing the diversion of 10,000 gallons of water a day for domestic purposes. The license authorizes use over the course of the whole year and specifies the appurtenant lands as Creston Reserve No. 1.

Mar 1, 1954

In accordance with an application filed by the Director of Indian Affairs, the Comptroller of Water Rights issued Final Water License 15441 in substitution of Conditional Water License 19837. The details are unchanged in this new license.

Jul 12, 1989

A memo of inspection of Final Water License 15441 reported that approximately one dozen houses were hooked up to the water system from Whiskey Creek. The hook-up appeared to serve as backup for well water, which was judged to be the primary source of water to these houses.

Current Status:

There are four active licenses on Whiskey Creek, Final Water License 15441 being the only one held by the Lower Kootenay Indian Band. The other licenses include Final Water License 15442 and Conditional Water License 27923. These licenses are registered to the same individual, authorizing the (combined) use of 500 gallons a day year-round for domestic purposes and 7.50 acre feet per year for irrigation purposes; Conditional Water License 60079, authorizes the storage and use of 25 acre feet for irrigation purposes.

The water rights of the Lower Kootenay Indian Band are equal in first priority to the rights of Final License 15442.

The Water Survey of Canada has no records of streamflow on Whiskey Creek. Measurements taken by water management staff in 1959 and 1963 indicate flows in the range of 25,000 to 27,000 gallons per day.

Notes:

1. Under current licensing practices Conditional Water License 15441 would be issued for waterworks purpose. The amendment of the license to waterworks purpose would qualify the Whiskey Creek drainage area for designation as a 'Community Watershed' under provisions contained in the Forest Practices Code.

OTHER INFORMATION

Groundwater Records:

A review of well records maintained by the MELP - Groundwater Section indicates that 5 wells have been reported on the Lower Kootenay Creston Reserve No. 1. The wells yield 5, 80, 100, and 200 gallons a minute. The extent to which the wells are currently utilized is unknown. Further details are appended to the report.

As provision of well information to the Groundwater Section is voluntary, this review should not be assumed to be complete.

Municipal Water Supply:

Due to the proximity of the Town of Creston to the Lower Kootenay Band Reserves', the Bands could potentially obtain water from the Creston waterworks system. In 1995, the Creston Waterworks District reported use of approximately 401.4 million gallons, 28% of their total authorized volume of 1.4 billion gallons. The surplus indicates that there are resources available for future use.

Water Protection Records:

Dykes have been erected along the Kootenay River, and are maintained by the Creston Dyking District, Nicks Island Dyking District and the Reclamation Dyking District. The dykes protect low lands from flooding, including Lower Kootenay Indian Reserves 1C, 2, 3, 4, and 5.

The Band has recently indicated an interest in acquiring ownership and responsibility for the dykes on reserve lands.

Summary of Water Records

Lower Kootenay

Water Source	Priority Date	Reserve Name	File No.	Document Type	Status	Superseded By	Licence PUC/MOD & OIC Allotments	Comments
China Cup Creek	1919/06/2 ₆	Creston #1	11776	CL 5034	Superseded	CL 15771	25 AF/Irrigation	CL 5034: Nov 1934 Letter: Comptroller Water Rights defines "incidental domestic use" under authorization of CL 5034. No formal amendment was registered.
China Cup Creek	1919/06/2 ₆	Creston #1	11776	CL 15771	Current		1,000 GAD/Domestic 1.25 AF/Irrigation	CL 15771: Aug 1961 Memo: Sanitary Inspector reports high degree of contamination in water source (China Creek). Priority 1 - China Creek.
Goat River (Luke's Marsh)	1974/12/1 ₆	Lower Kootenay #1B	328197	CL 46873	Current		800 AF/Conservation	CL 46873: Issued in name of DIANA for use of licensee Ducks Unlimited. Authorizes diversion from Lukes Marsh specifically. Lukes Marsh - located at confluence of Goat and Kootenay Rivers.
Goat River	1974/12/1 ₆	Lower Kootenay #1B	328197	CL 46941	Current		1000 AF/Conservation (Max: 5 cf/s)	CL 46941: Issued in name of DIANA for use of licensee Ducks Unlimited. No evidence exists regarding consultation of Band in issuance of licence to licensee.

Goat River (Luke's Marsh)	1980/09/0 8	Lower Kootenay #1B	367197	CL 55835	Current		900 AF/Conservation (Max: 10cf/s)	CL 55835: Issued in name of DIANA for use of licensee Ducks Unlimited. No evidence exists regarding consultation of Band in issuance of licence to licensee.
Kootenay River	1969/04/0 9	Creston #1/ Lower Kootenay #1A	285389	CL 34816	Abandoned		500 AF/Conservation (Max: 8 cf/s)	CL 34816: Licence issued to Ministry Indian Affairs on behalf Canadian Wildlife Service. Abandonment: Records do not indicate who requested abandonment.
Kootenay River	1976/02/0 2	Creston #1	330160	CL 53930	Current		350 AF/Conservation	CL 53930: March 1995 Amendment Report: States MOU exists between Ducks Unlimited and Band for operation of works authorized under CL 53930.
Kootenay River	Unknown	Lower Kootenay #1C, 2, 3, 4 and 5		Water Protection Records: Summary Sheet	Current			Water Protection Section Summary Records: Dykes along Kootenay River. Maintained by: Creston Dyking Dist., Nicks Isl. Dyking Dist. and Reclamation Dyking Dist.. Band: Indicated interest in acquiring ownership.
Whiskey Creek	1950/08/0 7	Creston #1	185330	CL 19837	Superceded	FL 15441	10,000 GAD/Domestic	

Whiskey Creek	1950/08/07	Creston #1	185330	FL 15441	Current	10,000 GAD/Domestic	FL 15441: Priority 1 - Whiskey Creek. Whiskey Cr. Drainage: Potential designation "Community Watershed"; requires amendment - purpose = waterworks.
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LEGEND:

Licence Types (Document Types)

CL: Conditional Licence
FL: Final Licence

Mechanisms for Allocation (Document Type)

OIC: Order-in-Council (as issued by the Lieutenant Governor in Council)
MOD: Minute of Decision (as recorded under the Indian Reserve Commission)
IRC: Indian Reserve Commission
AGBC: Attorney Generals Office of BC (followed by File #)

Allotment Units (Licence PUC/MOD & OIC Allotments)

GAD: Gallons a day
AE: Acre feet
CFS: Cubic feet per second

CONDITIONAL WATER LICENCE
(IRRIGATION)

Appurtenant to 9.9 acres of the Lower Kootenay Indian Reserve, #1 (Creston)

WHEREAS R.L.T. Galbraith, Indian Agent, whose
post-office address is Fort Steele, B. C.

as owner or lawful occupant of the land hereinafter specified, has applied for a licence to take and use water in the manner hereinafter set out, and has taken all the preliminary steps required of such applicant under the "Water Act, 1914," prior to the issue of this licence, and is, under the said Act, entitled thereto:

(1.) Now, therefore, in pursuance of the said Act, this conditional licence is issued, granting the licensee thereunder the right to take and use water under the following terms and conditions:—

(a.) The source of the water-supply is China Cup Creek
a tributary of -----

(b.) The point of diversion from the stream is located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which is attached to the counterfoil of this licence on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria.

(c.) The date from which this licence shall take precedence is 25th June, 1919.

(d.) The purpose for which the water is to be used is irrigation.

(e.) The maximum quantity of water which may be used at the place of use when all the lands mentioned in item (g) hereof are under irrigation is, until lawfully altered, 25 acre-feet per annum; and the maximum quantity which may be used per acre at the said place of use in any year is 2½ acre-feet: Provided that if any records have been issued, or if any other licences have been or may hereafter be issued, for the use of water upon the said lands, the maximum quantity allowed under this licence shall be reduced by such quantities as may from time to time be used upon the said lands under such other records or licences, including the records or licences at present outstanding, namely, Licence No. ----- from -----

(Stream.)

and Licence No. ----- from -----

(Stream.)

And provided further that in such cases the Comptroller may, after the requisite hydrographic data have been accumulated for determining the particular quantity of water which may be used under this licence, require the surrender thereof for the purpose of readjustment, and may amend the same by stating therein such particular quantity so determined. The maximum quantity which may be diverted from the stream per annum

is 2½ acre-feet per acre of land irrigated and an additional amount for reasonable seepage and evaporation.

And provided further that there may be used in addition ----- gallons of water per day throughout the whole year for domestic purpose as being incidental to the irrigation purpose.

Licence Number 5034

Replaced by 15771

(f.) The period of the year during which the water may be used is 1st April to
30th September.

(g.) The area and description of the irrigable lands to which this right may extend on completion of works and beneficial use of the water in the irrigation of the said lands are
9.9 acres, comprising part of the Lower
Kootenay Indian Reserve No. 1. (Greston)

The extent and location of the said irrigable lands are further shown in the said exhibit "A."

(h.) The other terms and conditions respecting the right are:—

(1.) Works for the diversion and the carriage of the water as set forth in the exhibit marked "B" which is hereto attached and hereby made a part hereof shall be constructed in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(2.) The said construction shall be commenced on or before the first
day of May, 1921

(3.) The said construction shall be prosecuted with due diligence and to the satisfaction of the Comptroller, and shall be completed on or before the thirtieth day
of September, 1925

(4.) The lands described in clause (g) hereof shall have been properly prepared for irrigation and shall have been irrigated beneficially from the said works on or before the
thirtieth day of September, 1925

(5.) _____

(i.) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

(j.) _____

(2.) This licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part V. of the "Water Act, 1914," and shall be subject to all the provisions of said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section 117 of the said Act.

Issued this tenth day of August, 1920.

File No. 011776.

E. H. Cleveland
Comptroller of Water Rights.

Licence Number 5034

ORIGINAL

PROVINCE OF
BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF
LANDS.

EXHIBIT "B."

(APPROVAL OF PLANS AND LIST OF WORKS TO BE CONSTRUCTED.)

The works which are accepted as necessary and suitable for the taking and (or) using of the water under the above-mentioned licence, and which are more fully set out in the plans and specifications filed in the office of the Comptroller of Water Rights numbered 57933 C.

as altered, amended, or limited by supplemental plans and specifications numbered

or in letters or other documents referred to as

which plans and specifications as thus altered, amended, or limited are hereby approved, are as follows:—

Ditch

File No. 011776.

ENTERED ON
Map No. 5175
By T.M.W.

Form 1005, W.R.B. (Approval of Plans)—2,000-1-30—(Forming part of Conditional Water Licence No. 5034).

E. Helmsland
Comptroller of Water Rights.

5034

ORIGINAL



VICTORIA, B.C.

DEPARTMENT OF LANDS
WATER RIGHTS BRANCH

ORDER

File No. 011776.

The time for completion of works and putting the
water to beneficial use in respect of Conditional Water Licence
No. 5034, Director of Indian Affairs, China Cup creek, is hereby
extended to the 31st day of December, 1941.

E. Davis.

Comptroller of Water Rights.

Dated at Victoria, B.C.,
this 3rd day of March, 1939.

5034
ORIGINAL



VICTORIA, B.C.

DEPARTMENT OF LANDS
WATER RIGHTS BRANCH

ORDER

File No. 011776

The time for completion of works and
putting the water to beneficial use in respect of
Conditional Water Licence No. 5034, China Cup creek,
is hereby extended to the 31st day of December, 1936.

Controller of Water Rights.

Dated at Victoria, B.C.

this 19th day of November, 1934.

5034
ORIGINAL



THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

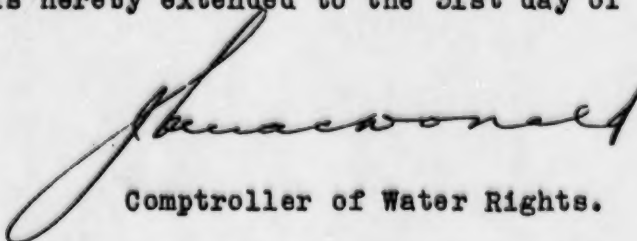
VICTORIA, B.C.

DEPARTMENT OF LANDS
WATER RIGHTS BRANCH

ORDER

File 011776.

The time for completion of works and putting
water to beneficial use in respect of Conditional
Licence 5034, Superintendent General of Indian Affairs,
China Cup creek, is hereby extended to the 31st day of
December, 1938.


Comptroller of Water Rights.

Dated at Victoria, B. C.,
this 27th day of January,
1937.

5034

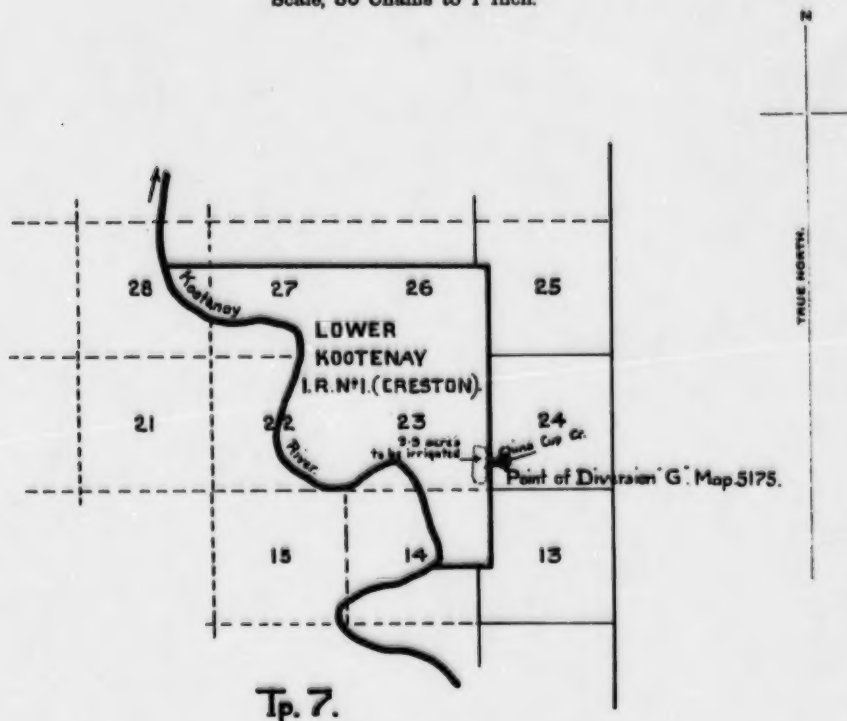
British Columbia.

To accompany Conditional Licence No 5034

Precinct

NELSON WATER DISTRICT.

Scale, 80 Chains to 1 Inch.



KOOTENAY LAND DISTRICT.

The boundaries of the land to which this licence is appertenant are shown shaded.

PLATE
237.

EXHIBIT A. 4-6

Signature *E. H. Clelland*

Date 10 Aug. 1920.

5034

C.L. 5034.

PROVINCE OF
BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF
LANDS.

CONDITIONAL WATER LICENCE.

DIRECTOR OF INDIAN AFFAIRS of Ottawa, Ontario, is

hereby authorized to divert and use water as follows:—

- (a.) The source of the water-supply is China Cup Creek
- (b.) The point of diversion is located as shown on the attached plan.
- (c.) The date from which this licence shall have precedence is 26th June, 1919,
- (d.) The purpose for which the water is to be used is irrigation and domestic
- (e.) The maximum quantity of water which may be diverted for irrigation purpose is 1.25 acre-feet per annum and for domestic purpose is 1,000 gallons a day and such additional quantity as the Engineer may from time to time determine should be allowed for losses.
- (f.) The period of the year during which the water may be used for irrigation purpose is 1st April to 30th September and for domestic purpose is the whole year.
- (g.) The land upon which the water is to be used and to which this licence is appurtenant is 1 acre of Creston Indian Reserve No. 1.

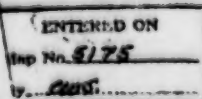
(A.) The works for the diversion and carriage of the water are ditch and pipe, as shown on the attached plan.

the construction of which shall be commenced on or before the 31st day of March 19 44 and shall be completed and the water beneficially used on or before the 31st day of December 19 45.

- (i.) This licence is issued in substitution of Conditional Water Licence No. 5034, hereby surrendered and cancelled.

E. Davis

Comptroller of Water Rights.



No. 011776

Date issued November 1, 1943.

Licence No. 15771



WATER RIGHTS BRANCH
DEPARTMENT OF LANDS AND FORESTS

ORDER
WATER ACT
Section 13

File No. 011776

The provisions of the B. C. Water Act having been complied with and being satisfied that no person's rights will be affected, I hereby extend the time for the completion of the works and for making beneficial use of the water authorized under Conditional Water Licence No. **15771**, China Cup Creek to the 31st day of December, 19⁵⁶.

[Signature]
23-7-54

[Signature]

(A. F. Paget),
Deputy Comptroller of Water Rights.

DATED at Victoria, B. C.,
this **19th** day of
July,
19⁵⁶.

W.R.B. 42

copies sent to W.R.B. E



—
WATER RIGHTS BRANCH
DEPARTMENT OF LANDS AND FORESTS

ORDER
WATER ACT
Section 13

File No. 011776

The provisions of the B. C. Water Act having been complied with and being satisfied that no person's rights will be affected, I hereby extend the time for the completion of the works and for making beneficial use of the water authorized under Conditional Water Licence No. 15771, China Cup Creek to the 31st day of December, 1957.

V. Raudsepp
V. Raudsepp,

Deputy Comptroller of Water Rights.

DATED at Victoria, B. C.,

this 12th day of April, 1957.



—
WATER RIGHTS BRANCH
DEPARTMENT OF LANDS AND FORESTS

ORDER
WATER ACT
Section 13

File No. 011776

The provisions of the B. C. Water Act having been complied with and being satisfied that no person's rights will be affected, I hereby extend the time for the completion of the works and for making beneficial use of the water authorized under Conditional Water Licence No. 15771 , China Cup Creek to the 31st day of December, 1960

V. Raudsepp
V. Raudsepp

Deputy Comptroller of Water Rights.

DATED at Victoria, B. C.,
this 24th day of March , 1958.

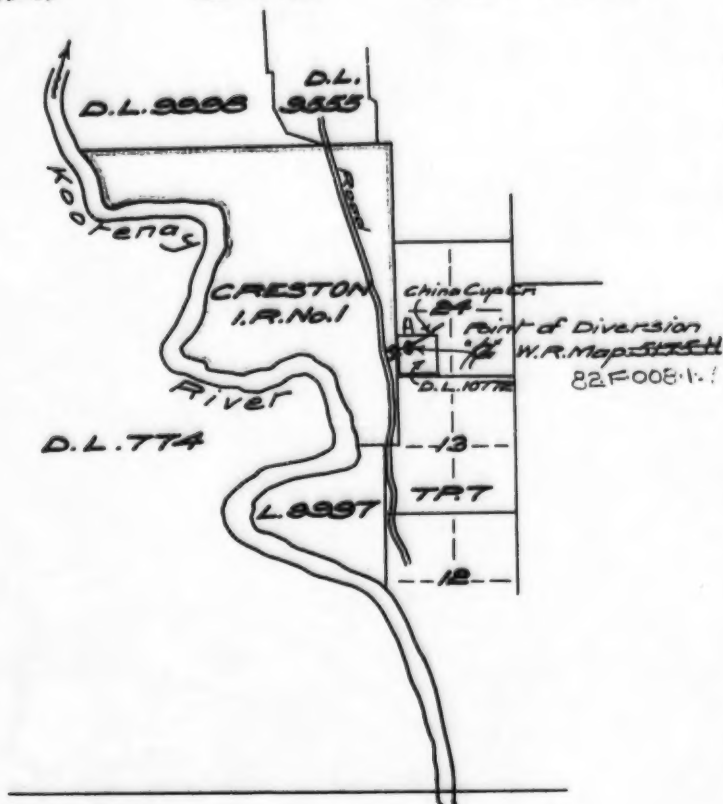
British Columbia

To accompany Conditional Licence No. 15771

NELSON WATER DISTRICT

Scale: 80 Chains to 1 Inch

KOOTENAY LAND DISTRICT



LEGEND

Point of Diversion
Ditch & pipe

The boundaries of the land to which this licence is appurtenant are shown that measurement of which there is to be irrigated.

EXHIBIT "A"

00-941-1-2

Signature

E. Davis.

Date 12th Nov. 1943

C.L. 15771 substituting C.L. 5034
File 011776



THE PROVINCE OF BRITISH COLUMBIA—WATER ACT
CONDITIONAL WATER LICENCE

The Honourable Minister of Indian and Northern Affairs of Ottawa, Ontario

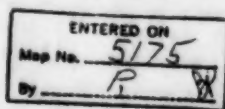
is/are hereby authorized to divert and use water as follows:—

- (a) The source(s) of the water-supply is/are Kootenay River.
- (b) The point(s) of diversion is/are located as shown on the attached plan.
- (c) The date from which this licence shall have precedence is 2nd February, 1976.
- (d) The purpose for which the water is to be used is conservation.
- (e) The maximum quantity of water which may be diverted is 350 acre feet per annum,
and such additional quantity
as the Engineer may from time to time determine should be allowed for losses.
- (f) The period of the year during which the water may be used is whole year.
- (g) ~~This licence is appurtenant to the~~ This licence is appurtenant to the
conservation undertaking of the licensee within Indian Reserve No. 1 (Creston)
Kootenay District.
- (h) The works authorized to be constructed are diversion structure, ditch and dykes,
which shall be located approximately as shown on the attached plan.
- (i) The construction of the said works has been completed and the water shall be beneficially used on or before the 31st day of December, 1981.


H.D. DeBeck,
Comptroller of Water Rights.

File No. 0330160 Date issued: 10th July, 1980

Conditional Licence No. 53930



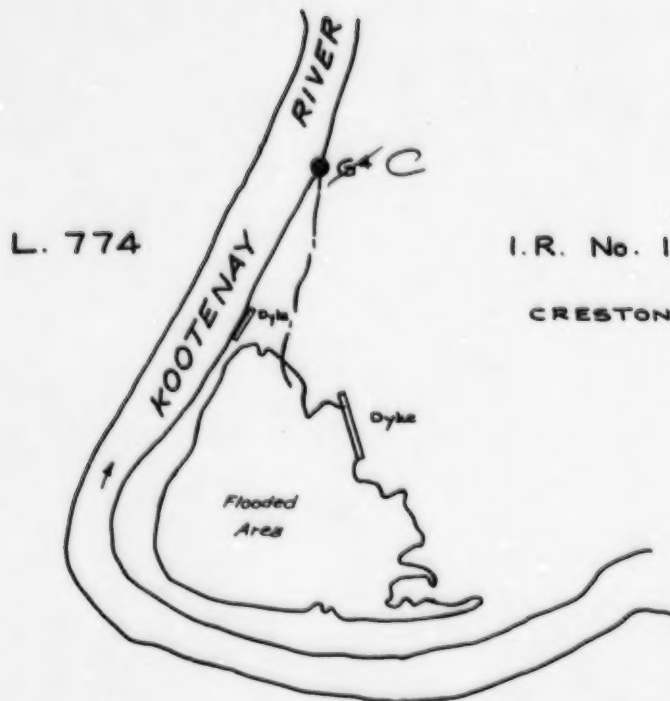
British



Columbia

NELSON WATER DISTRICT
KOOTENAY DISTRICT

Scale: 20 Chains to 1 Inch



LEGEND

Point of Diversion
W.R. Map
Ditch

5175 82-F.008.3.2

Signature 

Date 10th July 1980
CL 53930
File 0330160

Creston Precinct

PROVINCE OF
BRITISH COLUMBIA

Water Rights Branch

DEPARTMENT OF
LANDS AND FORESTS

FINAL WATER LICENCE

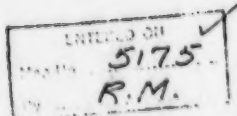
Director of Indian Affairs

of

Ottawa, Ontario.

is hereby authorized to divert and use water as follows:—

- (a) The source of the water-supply is **Whiakey Creek.**
- (b) The point of diversion is located as shown on the attached plan.
- (c) The date from which this licence shall have precedence is **7th August, 1950.**
- (d) The purpose for which the water is to be used is **domestic.**
- (e) The maximum quantity of water which may be diverted is **10,000 gallons a day**
and such additional quantity
as the Engineer may from time to time determine should be allowed for losses.
- (f) The period of the year during which the water may be used is **the whole year.**
- (g) The land upon which the water is to be used and to which this licence is appurtenant is
Indian Reserve No. 1, Creston
- (h) The works authorized hereunder are **concrete intake, concrete reservoir and pipe**
located as shown on the attached plan.
- (i) This licence is issued in substitution of Conditional Water Licence No. **19857.**



Deputy

Controller of Water Rights.

File No. 0185330

Date issued **March 1, 1954.** Licence No.

15441

3

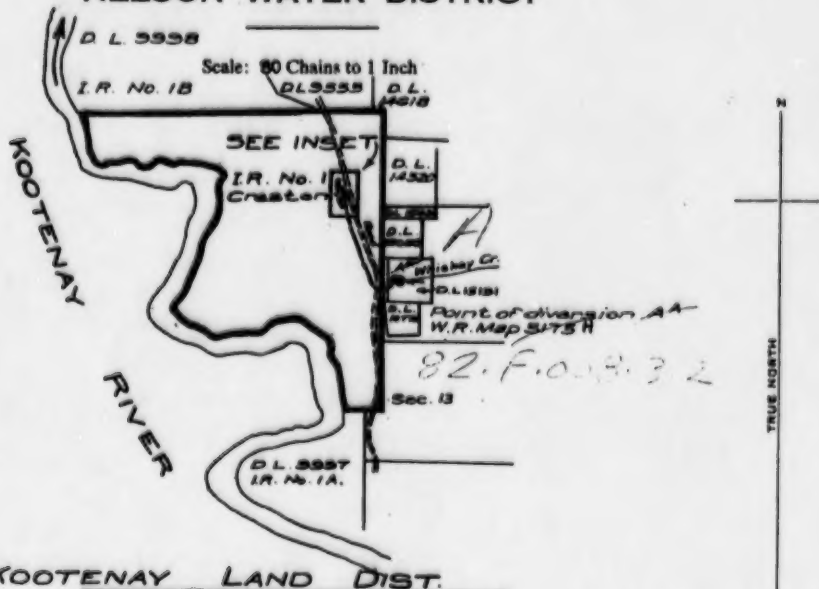
British



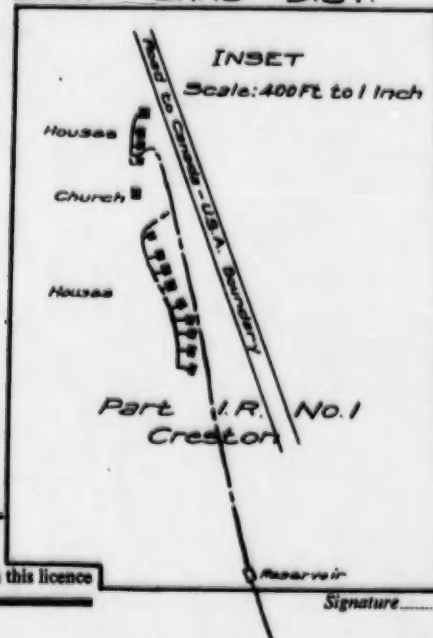
Columbia

To accompany Final Licence No. 15441

'NELSON WATER DISTRICT



KOOTENAY LAND DIST.



LEGEND

Point of Diversion

Pipe

The boundaries of the land to which this licence is appurtenant are shown thus: ————

Signature

Date March 1st 1954
 FL 15441 For C.L. 1983T
 File 0165330

EXHIBIT "A"

PROVINCE OF
BRITISH COLUMBIA

Water Rights Branch

DEPARTMENT OF
LANDS AND FORESTS

CONDITIONAL WATER LICENCE

THE DIRECTOR OF INDIAN AFFAIRS of Ottawa, Ontario, is

hereby authorized to divert and use water as follows:—

- (a) The source of the water-supply is Whiskey Creek.
- (b) The point of diversion is located as shown on the attached plan.
- (c) The date from which this licence shall have precedence is 7th August, 1950.
- (d) The purpose for which the water is to be used is Domestic.
- (e) The maximum quantity of water which may be diverted is 10,000 gallons a day
and such additional quantity
as the Engineer may from time to time determine should be allowed for losses.
- (f) The period of the year during which the water may be used is the whole year.
- (g) The land upon which the water is to be used and to which this licence is appurtenant is
Indian Reserve No. 1, Croston.
- (h) The works authorized to be constructed are Pipe

and they shall be located approximately as shown on the attached plan.

- (i) The construction of the said works shall be commenced on or before the 30th day
of June, 19 51 and shall be completed and the water beneficially
used on or before the 31st day of December, 19 52.

Superseded by
Final Licence

15441

ENTERED ON
Map No. 5173
By 1-1

J. E. Lane
Comptroller of Water Rights.

File No. 0185330

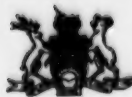
Date issued

December 1, 1950

Licence No.

19837

9
British



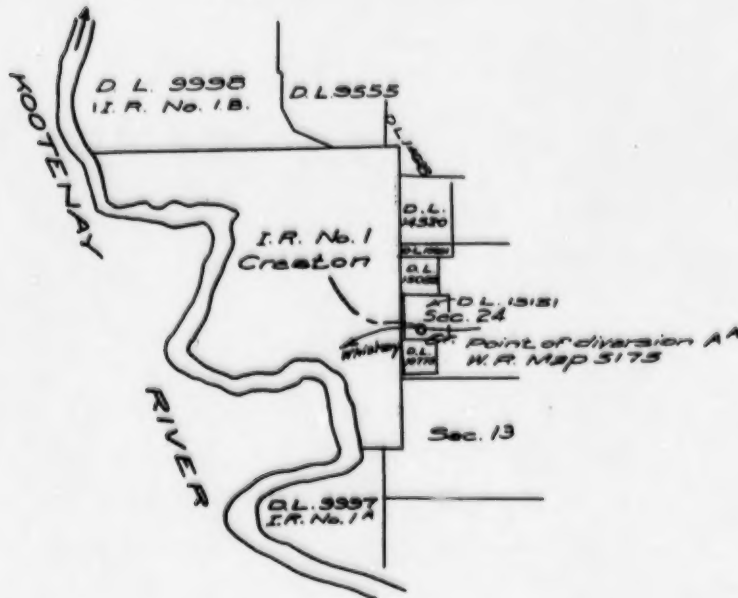
Columbia

To accompany Conditional Licence No. 19857

NELSON WATER DISTRICT

Scale: 80 Chains to 1 Inch

KOOTENAY LAND DIST.



LEGEND

Point of Diversion ○

Pipe ———

The boundaries of the land to which this licence is appurtenant are shown thus: _____

EXHIBIT "A"

200-1000-0001

Signature

Blane

Date Dec 1st 1950

CL 19857
File 0185330

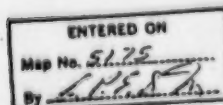
THE PROVINCE OF BRITISH COLUMBIA—WATER ACT
CONDITIONAL WATER LICENCE

The Honourable the Minister of Indian Affairs
and Northern Development (Canadian Wildlife Service) of Ottawa, Ontario

is/are hereby authorized to **divert and use** water as follows:—

- (a) The source(s) of the water-supply is/are **Kootenay River.**
- (b) The point(s) of **diversion** is/are located as shown on the attached plan.
- (c) The date from which this licence shall have precedence is **9th April, 1969.**
- (d) The purpose for which the water is to be used is **conservation.**
- (e) The maximum quantity of water which may be **diverted**, at a maximum rate of **8 cubic feet per second**, is **500 acre feet per annum**,
and such additional quantity
as the Engineer may from time to time determine should be allowed for losses.
- (f) The period of the year during which the water may be **used** is **the whole year.**
- (g) The land upon which the water is to be used and to which this licence is appurtenant is
**that part of Sections 12 and 13, Township 7, lying west of the
Creston-Rykerts Highway (Plan 1145); Lot 9997, Indian Reserve
No. 1A, and that part of Indian Reserve No. 1 lying south of the
dyke and west of the Highway (Plan 1145), all within Kootenay
District.**
- (h) The works authorized to be constructed are
diversion structure, pump, dykes, culvert drain, and pipe,
and they shall be located approximately as shown on the attached plan.
- (i) The construction of the said works **shall be commenced on or before the 30th
day of April, 1970, and shall be completed and the water bene-
ficially used on or before the 31st day of December, 1973.**

*Abandoned
15 Feb 82*



[Signature]
H. D. DeBeck,
Comptroller of Water Rights.

File No. **0285389** Date issued: **1 October, 1969**

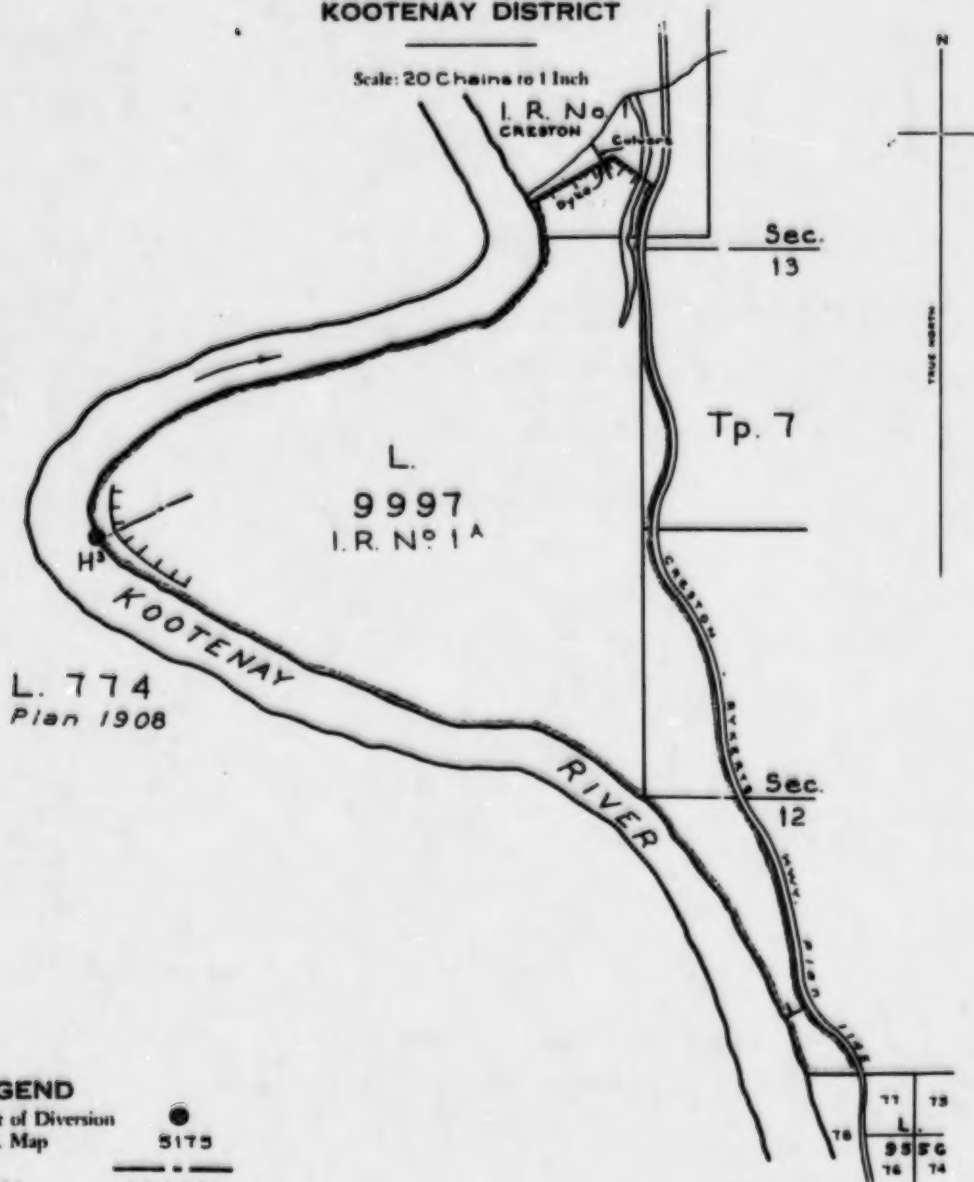
Conditional Licence No. **34816**

British



Columbia

NELSON WATER DISTRICT
KOOTENAY DISTRICT



THE PROVINCE OF BRITISH COLUMBIA—WATER ACT
CONDITIONAL WATER LICENCE

The Honourable Minister of Indian and
Northern Affairs of Ottawa, Ontario.

is/are hereby authorized to divert and use water as follows:—

- (a) The source(s) of the water-supply is/are Goat River.
- (b) The point(s) of diversion is/are located as shown on the attached plan.
- (c) The date from which this licence shall have precedence is 16th December, 1974.
- (d) The purpose for which the water is to be used is conservation.
- (e) The maximum quantity of water which may be diverted is 1,000 acre feet per annum,
and such additional quantity
as the Engineer may from time to time determine should be allowed for losses.
- (f) The period of the year during which the water may be used is the whole year.
- (g) ~~The land upon which the water is to be used and to which~~ This licence is appurtenant ~~to~~ to
the conservation project of the licensee within Indian Reserve
No. 1B of Lot 9998, Kootenay District.
- (h) The works authorized to be constructed are diversion structures, dykes and
ditches,
which shall be located approximately as shown on the attached plan.
- (i) The construction of the said works has been commenced, and shall be completed
and the water beneficially used on or before the 31st day of
December, 1978.
- (j) The maximum rate of diversion of water authorized under this
licence shall not exceed 5 cubic feet per second.


H.D. DeBeck,
Comptroller of Water Rights.

File No. 0328197 Date issued: 15th September, 1976 Conditional Licence No. 46941

ENTERED ON
Map No. 5176C
By S. RK

British

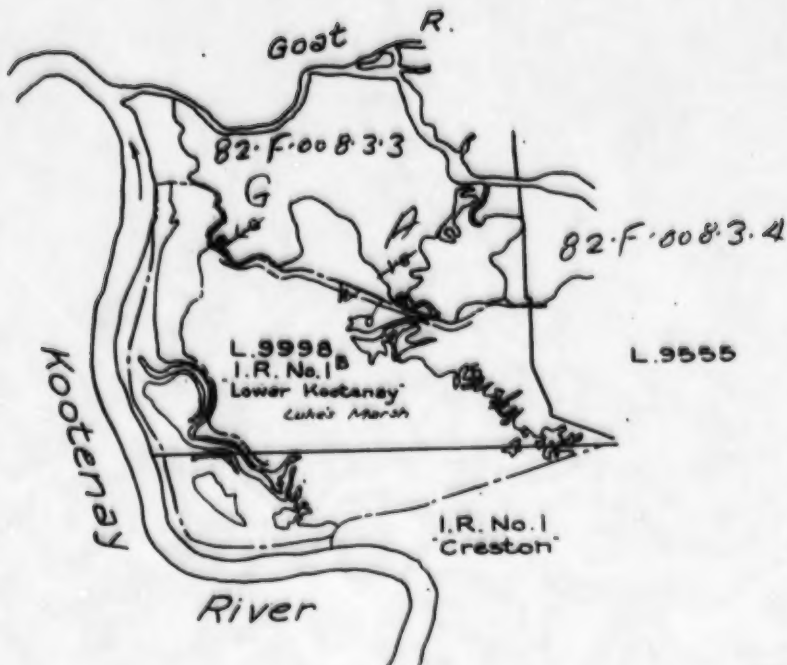


Columbia

NELSON WATER DISTRICT

KOOTENAY DISTRICT

Scale: 40 chains to 1 inch



LEGEND

Point of Diversion

W.R. Map

Dyke & Ditch

5176c

Signature

Date 15th Sept. 1976

CL 46941

File 0328197

Creston

Precinct

THE PROVINCE OF BRITISH COLUMBIA—WATER ACT
CONDITIONAL WATER LICENCE

The Honourable Minister of Indian and Northern Affairs of Ottawa,
Ontario.

is/are hereby authorized to divert and use water as follows:—

- (a) The source(s) of the water-supply is/are Luke's Marsh.
- (b) The point(s) of diversion is/are located as shown on the attached plan.
- (c) The date from which this licence shall have precedence is 16th December, 1974.
- (d) The purpose for which the water is to be used is conservation.
- (e) The maximum quantity of water which may be diverted and used is 800 acre feet per annum,
and such additional quantity
as the Engineer may from time to time determine should be allowed for losses.
- (f) The period of the year during which the water may be used is the whole year.
- (g) ~~The land upon which the water is to be used and to which~~ This licence is appurtenant ~~to~~ to
the conservation project of the licensee within Indian Reserve
No. 1B of Lot 9998, Kootenay District.
- (h) The works authorized to be constructed are diversion structures, dykes and ditches,
which shall be located approximately as shown on the attached plan.
- (i) The construction of the said works has been commenced, and shall be completed
and the water beneficially used on or before the 31st day of
December, 1978.


H.D. DeBeek,
Comptroller of Water Rights.

File No. 0328197 Date issued: 15th September, 1976 Conditional Licence No. 46873

ENTERED ON	
Map No.	5176C
By	SK

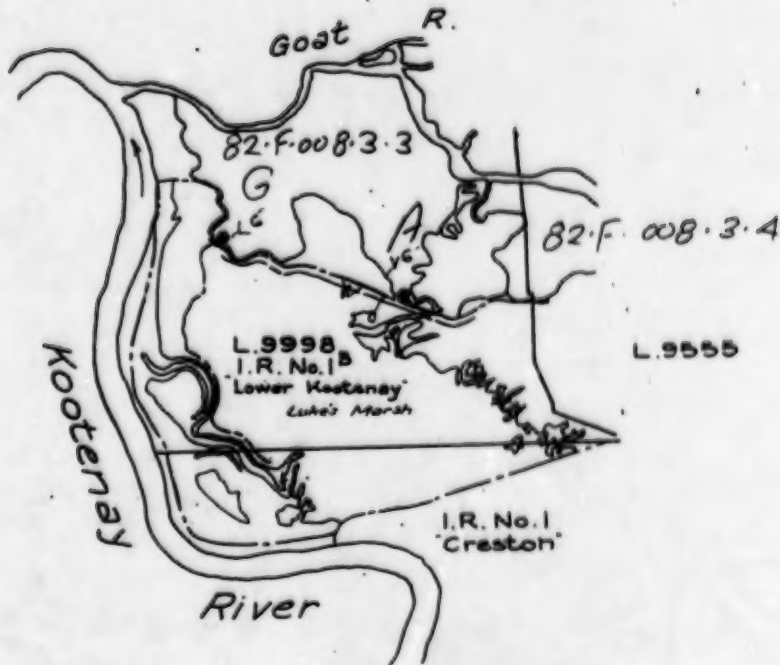
British



Columbia

NELSON WATER DISTRICT
KOOTENAY DISTRICT

Scale: 40 chains to 1 inch



LEGEND

Point of Diversion

W.R. Map

Dyke & Ditch

5176

Signature

Date 15th

Sept 1976

CL46873

File 0328197

Creston

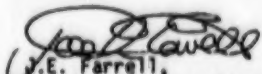
Precinct

THE PROVINCE OF BRITISH COLUMBIA—WATER ACT
CONDITIONAL WATER LICENCE

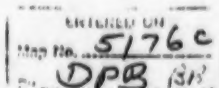
The Honourable Minister of Indian Affairs and Northern Development of Ottawa,
Ontario

is hereby authorized to divert and use water as follows:

- (a) The source of the water-supply is Goat River.
- (b) The points of diversion are located as shown on the attached plan.
- (c) The date from which this licence shall have precedence is 8th September, 1980.
- (d) The purpose for which the water is to be used is conservation.
- (e) The maximum quantity of water which may be diverted and used is 900 acre feet per annum, and such additional quantity as the Engineer may from time to time determine should be allowed for losses.
- (f) The periods of the year during which the water may be diverted is 1st March to 31st March and 1st October to 30th November.
- (g) This licence is appurtenant to the Conservation Project of the licensee within Indian Reserve No. 18 of Lot 9998, Kootenay District.
- (h) The works authorized to be constructed are diversion structures, dykes, culvert, pump, pipe, spillway and nesting islands, which shall be located approximately as shown on the attached plan.
- (i) The construction of the said works shall be commenced on or before the 28th day of February, 1982, and shall be completed and the water beneficially used on or before the 31st day of December, 1984.
- (j) The maximum rate of diversion of water authorized under this licence shall not exceed 10 cubic feet per second.
- (k) The rights granted under this licence may be deemed to be subsequent to any rights granted under any licence or licences that may be issued at any time for the consumptive use of water.


J.E. Farrell,
Deputy Controller of Water Rights.

File No. 0367197 Date issued: 21st August, 1981 Conditional Licence 55835



British

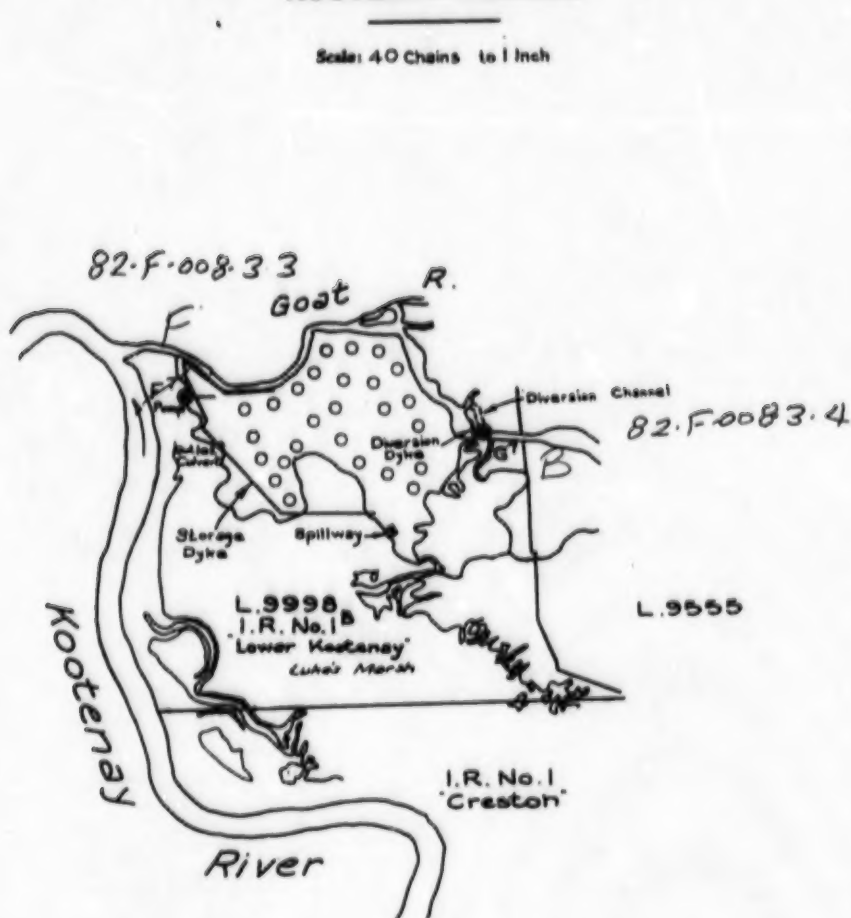


Columbia

NELSON WATER DISTRICT

KOOTENAY DISTRICT

Scale: 40 Chains to 1 Inch



LEGEND

Point of Diversion

W.R. Map

Pipe

Dyke

Nesting Islands



5178C



ooo

Signature

Joe D. Cawell

Date 21st Aug. 1981

CL 55835

File 0367197

Creston Ponds

Stream Register Report Water License Information System

Report Requested By : JEFFREY M. HALL
Date Report Requested : 1995/09/06 13:52
Report Sorted By : Source Gazetteer - Priority Date - License Number
Selection Criteria
START POINT : PG54437 - 82.7.600.1.4 A
END POINT : 605221 - China Cup Creek

Stream Register Report

Water License Information System

DATE: 1995/09/06
TIME: 13:52
PAGE: 001

Priority	License File	Appurtenancy	Licensee	POC	Quantity/Units	Term Start	Term End	License Comments	Process Status
YYYY/MM/DD	Number	Number							
Source	US Map	POD	NED	POD	Comments			Proc	
1919/06/26	C015771	0011776	1.0 AC OF CREATION IN 1 FOOTWAY DIST	LOWER FOOTWAY INDIAN BAND 981-606-7419 BOX 1107 CREATION BC V08100	DOE TUE	1,000.00	00 Jan 01 Dec 31 1.25 AP Apr 01 Sep 30		
	China Cup Creek	W882.P.008.1.4	A	B				188 MEL - CREATION	
1945/12/28	C017272	0116189	10 AC OF L 10772 FOOTWAY DIST	CENTRAL FOOTWAY NATIONAL DISTRICT OF 401 VERNON ST MELBORN BC V1L582	DOE TUE	500.00	00 Jan 01 Dec 31 12.50 AP Apr 01 Sep 30		
	China Cup Creek	W882.P.008.1.4	B	B				188 MEL - CREATION	

----- Total of 2 Licenses Reported -----

Stream Register Report Water License Information System

Report Requested By : JEFFREY HARRIS

Date Report Requested : 1995/10/03 14:40

Report Sorted By : Source Granted - Priority Date - License Number

Selection Criteria

START POINT : PG04518 - 82.F.008.3.6 A

END POINT : PG03318 - Gnat River (Lakes Marsh) on Gnat River

Priority License File TTTT/RR/SS Number Number	Appurtenancy	MR Reg	License	POD	RED	POD	Comments	POC	Quantity/Unit	Term Start	Term End	License	Comments	Process Status
Source														Proc
1974/12/16 C046873	0328197 COM PROJECT OF LICENSE WITHIN IS 618 OF L 9998 ROUTINARY DIST		DUCKS UNLIMITED (CANADA) BOX 157 CHESTON BC V8B1G0					C0468	1.18	CS	Jan 01	Dec 31		
Goat River (Lakes Marsh)		WSR2.P.008.3.3	G	N										182 MEL - CHESTON
Goat River (Lakes Marsh)		WSR2.P.008.3.4	A	N										
1974/12/16 C046841	0328197 COM PROJECT OF LICENSE WITHIN IS 618 OF L 9998 ROUTINARY DIST		DUCKS UNLIMITED (CANADA) BOX 157 CHESTON BC V8B1G0					C0468	3.38	CS	Jan 01	Dec 31		
Goat River (Lakes Marsh)		WSR2.P.008.3.4	A	N										182 MEL - CHESTON
Goat River (Lakes Marsh)		WSR2.P.008.3.3	G	N										
1986/09/08 C055025	0167197 COM UNDERPINNING OF LICENSE WITHIN IS 18 L 9998 ROUTINARY DIST		DUCKS UNLIMITED (CANADA) BOX 157 CHESTON BC V8B1G0					C0550	900.00	AP	Oct 01	Nov 30	TERM IS MAR91 MAR91 & OCT92 NOV96	
Goat River (Lakes Marsh)		WSR2.P.008.3.3	F	N										182 MEL - CHESTON
Goat River		WSR2.P.008.3.4	B	N										

----- Total of 3 Licenses Reported -----

Stream Register Report Water Licence Information System

Report Requested By : JPT/IMA/IC
Data Report Requested : 1995/09/06 15:41
Report Sorted By : Source Cassetted - Priority Data - Licence Number
Selection Criteria
START POINT : M01144 - Lake Kootenay on Kootenay River (Lower)
END POINT : M03137 - Kootenay River (Lower) left of Kootenay Lake

Priority	Licence File	Appurtenance	NE Map	P.O.D.	MOD Comments	MOI	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
TTTT/MM/DD	Number	Number									
1985/06/15	CN68957	LA OF L 16078 DORTMUND DIST PLAIN 11486		R. J. WERTZ ENVIRONMENTAL LTD INC INC 674554 DOM MOI 2446 CREATION NC VERSION			540.00	01 Jan 01	Dec 31		
		Eucassay River (Lower)	WSR2.P.018.1.1	B	N					188 HEL - CREATION	
1989/06/06	CN35895	CAN PROJECT OF LICENSURE (LACIN LE PROJET)		CREATION VALLEY VILLOUPE MANAGEMENT AUTN COMOR MOI 640 CREATION NC VERSION			4.83	01 Jan 01	Dec 31		
		Eucassay River (Lower)	WSR2.P.017.4.2	A	N					188 HEL - CREATION	
		Smit Creek	WSR2.P.017.2.4	G	N						
		Smit Creek	WSR2.P.017.2.4	H	N						
		Eucassay River (Lower)	WSR2.P.017.4.4	B	N						
		Eucassay River (Lower)	WSR2.P.017.4.4	C	N						
1989/07/16	CN35871	CAN PROJECT OF LICENSURE (LACIN LE PROJET)		CREATION VALLEY VILLOUPE MANAGEMENT AUTN COMOR MOI 640 CREATION NC VERSION			4.83	01 Jan 01	Dec 31		
		Eucassay River (Lower)	WSR2.P.017.4.4	B	N					188 HEL - CREATION	
		Miche Slough	WSR2.P.017.2.4	J	N						
		Sertimer Creek	WSR2.P.017.2.4	A	N						
		Eucassay River (Lower)	WSR2.P.017.4.2	A	N						
1972/01/05	CN41950	LARGE WATER NOTS OF RECLAMATION DREING DIST		RECLAMATION FERRIS DISTRICT C/O GRANT CHRISTENSEN MOI 1175 CREATION NC VERSION			2,450.00	AP Apr 01	Sep 30		
		Eucassay River (Lower)	WSR2.P.008.3.3	A	N					188 HEL - CREATION	
		Boundary Creek	WSR2.P.008.1.2	B	N						
		French Slough	WSR2.P.008.1.3	A	V						
		French Slough	WSR2.P.008.3.1	F	V						

Priority	License File	Applicant	License	POC	Quantity/Units	Term Start End	Term License Commits	Promise Status
TTTT/NN/00	Number	Number						
Source	SR	Map	POC	REQ	POC	Comments	Price	
1977/09/12 C043523 0310839 COW PROJECT OF LICENSEE (COW MARIH PROJECT)								
CROFTON VALLEY WILDLIFE MANAGEMENT AUTH COMME								
NOE 640								
CROFTON BC								
V08100								
Rockaway River (Lower)	MSR2.P-027.2.3	A	M	RECONSTRUCTION AT 100 5164A & VV 62.P-017.2.COMM CR MARIH & J R2.P-017.2.4 MICKS SLD 188 MEL - CROFTON				
Corn Creek Marsh	MSR2.P-017.2.2	VV	Y					
Wicks Slough	MSR2.P-017.2.2	UU	Y					
Wicks Slough	MSR2.P-017.2.4	J	Y					
1977/09/12 C040226 0317964 COW PROJECT OF LICENSEE (SIX MILE SLOUGH PROJECT)								
CROFTON VALLEY WILDLIFE MANAGEMENT AUTH COMME								
NOE 640								
CROFTON BC								
V08100								
Rockaway River (Lower)	MSR2.P-027.2.1	A	M					
Six Mile Slough	MSR2.P-027.2.2	A	M					
Six Mile Slough	MSR2.P-027.2.1	B	M					
Rockaway River (East Channel)	MSR2.P-027.2.3	C	M					
Rockaway River (East Channel)	MSR2.P-027.2.3	B	M					
Rockaway River (Lower)	MSR2.P-027.2.3	G	M					
Rockaway River (Lower)	MSR2.P-027.2.3	D	M					
Rockaway River (Lower)	MSR2.P-027.2.3	A	M					
1977/09/12 C040226 0320100 SIX MILE SLOUGH PROJECT OF LICENSEE								
CROFTON VALLEY WILDLIFE MANAGEMENT AUTH COMME								
NOE 640								
CROFTON BC								
V08100								
Rockaway River (Lower)	MSR2.P-027.2.1	A	M					
Six Mile Slough	MSR2.P-027.2.2	A	M					
Six Mile Slough	MSR2.P-027.2.1	B	M					
Rockaway River (East Channel)	MSR2.P-027.2.3	C	M					
Rockaway River (East Channel)	MSR2.P-027.2.3	B	M					
Rockaway River (Lower)	MSR2.P-027.2.3	G	M					
Rockaway River (Lower)	MSR2.P-027.2.3	D	M					
Rockaway River (Lower)	MSR2.P-027.2.3	A	M					

ADD UNDER AUTHORITY

188 MEL - CROFTON

ADD UNDER AUTHORITY

188 MEL - CROFTON

Priority License File TTTT/MM/DD Number	Appurtenancy	NO Map	POD	NO Comments	POC	Quantity/Units	Term Start	Term End	License Comments	Process Status
Source										Free
1976/01/26 CH44333 022704	2 AC OF L 3 OF L 14070 RICHMONDLY DEPT PLAM 6352		HEMPSTADT SITE 648 BOX 8 RA 2 CHERTON B C VERBOD		NO	6,000.00	01 Jan 01	01 Dec 31		
					100	2.50	01 Apr 01	01 Sep 30		
	Eastman River (Lower) Miche Slough		W022.P.017.3.2 W022.P.017.3.4 D Y		WICKS	SLAUGH			100 MSL - CHERTON	
1976/04/06 CH46612 023102	80 AC OF L 39 OF L 10160 RICHMONDLY DEPT PLAM 2765		ROBERT HORTON HYDRAULICS LIMITED 701-PEN STREET SOUTH CHAMBERS B C VIC136		DOM	1,000.00	01 Jan 01	01 Dec 31		
					100	120.00	01 Apr 01	01 Sep 30		
	Eastman River (Lower)		W022.P.017.4.4 A H						100 MSL - CHERTON	
1976/09/03 CH45010 022775	CON PROJECT OF LICENSE (LARGE LE PROJECT)		CHERTON VALLEY WILDLIFE MANAGEMENT AUTH BOX 640 CHERTON BC VERBOD		COMB	1,400.00	01 Jan 01	01 Dec 31		
	Eastman River (Lower) Summit Creek Summit Creek Eastman River (Lower)		W022.P.017.4.4 W022.P.017.2.4 W022.P.017.3.4 W022.P.017.4.4 D H						100 MSL - CHERTON	
1976/12/08 CH51235 022905	ALL THE LAND WITHIN THE BOWS OF		CHERTON DIVISION DEPARTMENT PO BOX 1175 CHERTON BC VERBOD		INDRO	2,000.00	01 Apr 01	01 Sep 30		
	Eastman River (Lower) East River East River (Old Channel) East River (Old Channel) East River (Old Channel) East River (Old Channel) East River (Old Channel)		W022.P.018.1.1 W022.P.048.3.3 W022.P.009.3.3 W022.P.018.1.1 W022.P.018.1.1 W022.P.018.1.2 W022.P.018.3.1 W022.P.018.3.1		B B C A A A A B				100 MSL - CHERTON	

DATE: 1995/08/06
TIME: 15:41
PAGE: 004

Water License Information System

Stream Register Report

Priority	License File	Agency	Source	MS Reg	License	POC	Quantity/Units	Term	Term	License	Comments	Preval
YYYY/MM/DD	Number	Number						Start	End	Commence		
1976/02/02	C033930	0330160 CON	UNIVERSITY OF CALIFORNIA		DOCKS UNLIMITED (CARSON)	COMB	0.48	C8	Jan 01	Dec 31		
			WATER IN 61 CHESTON KOOTENAY		BOX 157							
			DEFT		CHESTON BC							
					V88100							
			Kootenay River (Lower)	W882.P.008.1.2	C	N					100 MEL - CHESTON	
1977/04/14	C050495	0341091 300	AC OF BLK D OF L 14478		GALLONNY CALVERT & DONNA	1200	250.00	AP	Apr 01	Aug 30		
			KOOTENAY DEFT PLAM 2255		PO BOX 2239							
					CHESTON BC							
					V88100							
			Kootenay River (Lower)	W882.P.018.1.1	C	N					100 MEL - CHESTON	
1978/09/09	C053473	0358132 136	AC OF DE 1/4 OF SEC 6 OF L		WERNER PETER A	1200	170.00	AP	Apr 01	Aug 30		
			613 KOOTENAY DEFT PLAM 730		BOX 2075							
					CHESTON BC							
					V88100							
			Kootenay River (Lower)	W882.P.008.1.2	A	N					100 MEL - CHESTON	
1984/05/08	C043865	0000453 10	AC OF BLK 78 OF L 9554		MILLARD DON C	1200	12.50	AP	Apr 01	Aug 30		
			DEFT PL 847		BOX 1548							
					ATYABACCA AB							
					TOOONE							
			Kootenay River (Lower)	W882.P.008.1.2	C	N					100 MEL - CHESTON	

----- Total of 15 Licenses Reported -----

Stream Register Report Water License Information System

Report Requested By : JEFFREY HARRIS
Data Report Requested : 1998/09/08 14:14
Report Period By : Source Granted - Priority Date - License Number
Selection Criteria
START POINT : PMS789 - 31759 A
END POINT : M03238 - Wilskey Creek

Water Licence Information System

Stream Register Report

Priority	Licence File	Appurtenancy	Source	ML Map	PWD	RED PWD Comments	POC	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
TTTT/MM/DD	Number	Number										
1986/08/07	P015441	0180330	IN 81 CHESTON BOOTHEAVY DIST			LOWES BOOTHEAVY DRILLING BAND 981-608-7439 BOX 1197 CHESTON NC VORLIG	IDM	10,000.00	GD Jan 01	Dec 31		
			Whiskey Creek	WRS2.P.008.J.2	A	M					188 MSL - CHESTON	
1986/08/07	P015442	0180356	3 AC OF L 15151 BOOTHEAVY DIST			SCHERSON STANLEY A SITE 6 BOX 7 RR 1 CHESTON N C VORLIG	IDM TNR	500.00	GD Jan 01	Dec 31		
			Whiskey Creek	WRS2.P.008.J.2	A	M					188 MSL - CHESTON	
1982/04/17	C027923	0243595	3 AC OF L 15151 BOOTHEAVY DIST LYING S OF PLAM R-67			SCHERSON STANLEY A SITE 6 BOX 7 RR 1 CHESTON N C VORLIG	TNR	3.75	AP Apr 01	Aug 10		
			Whiskey Creek	WRS2.P.008.J.2	A	M					188 MSL - CHESTON	
1983/02/02	C046079	4080233	LOTS 1 & 2 DL 813 BOOTHEAVY DIST PL 1417			KIRKLAND JAMES BOX 332 LIFTED S C VORLIG	TNR STRONG	25.00	AP Apr 01	Aug 10		
			Whiskey Creek	WRS2.P.008.J.2	A	M					188 MSL - CHESTON	
			Whiskey Creek	WRS175P	A	M					188 MSL - CHESTON	

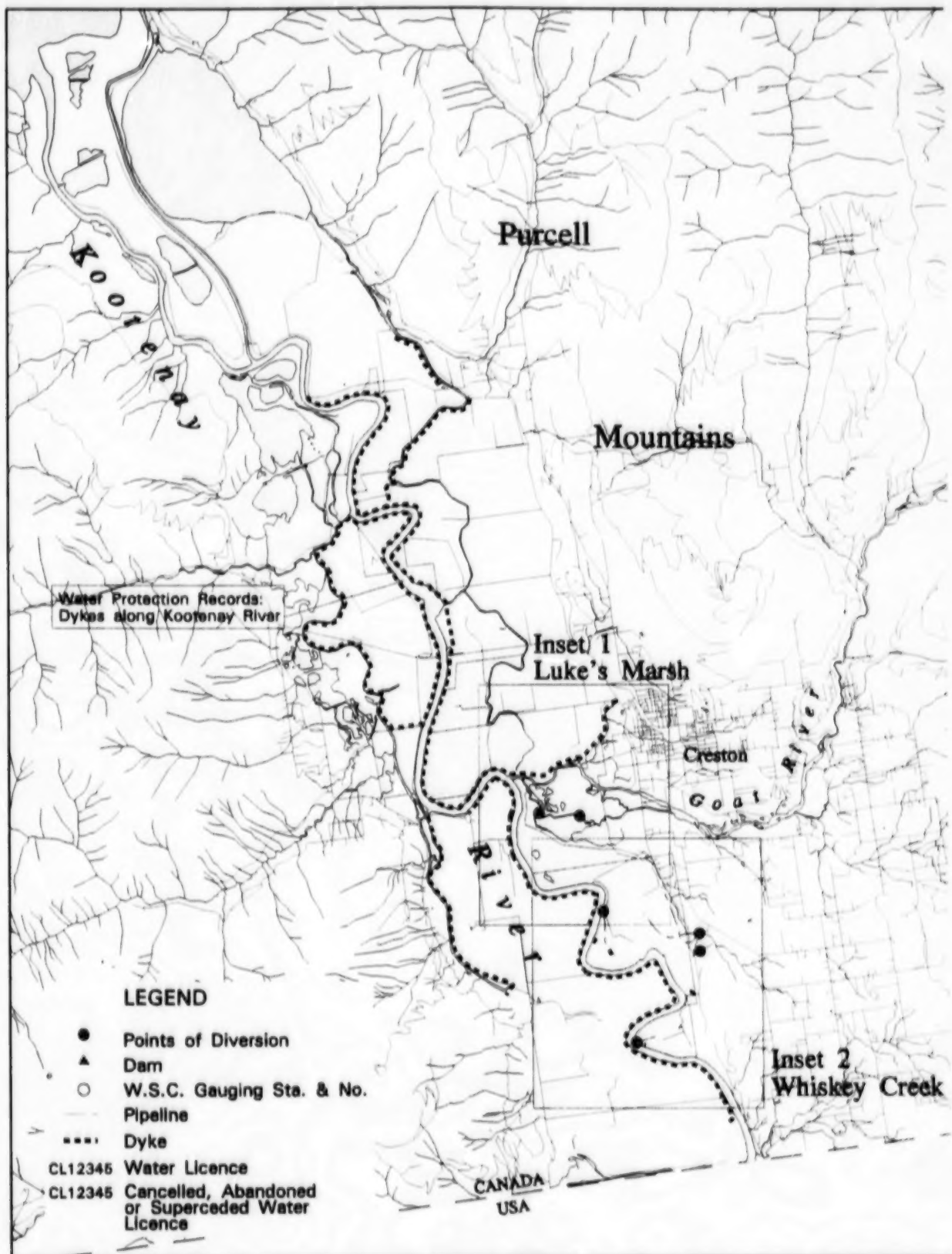
----- Total of 4 Licenses Reported -----

12/09/95

Ministry of Environment - Water Management Branch - Groundwater Section
 with the Department of Agriculture and Forestry
 Data Summary - with Legal Descriptions and Old Coordinates

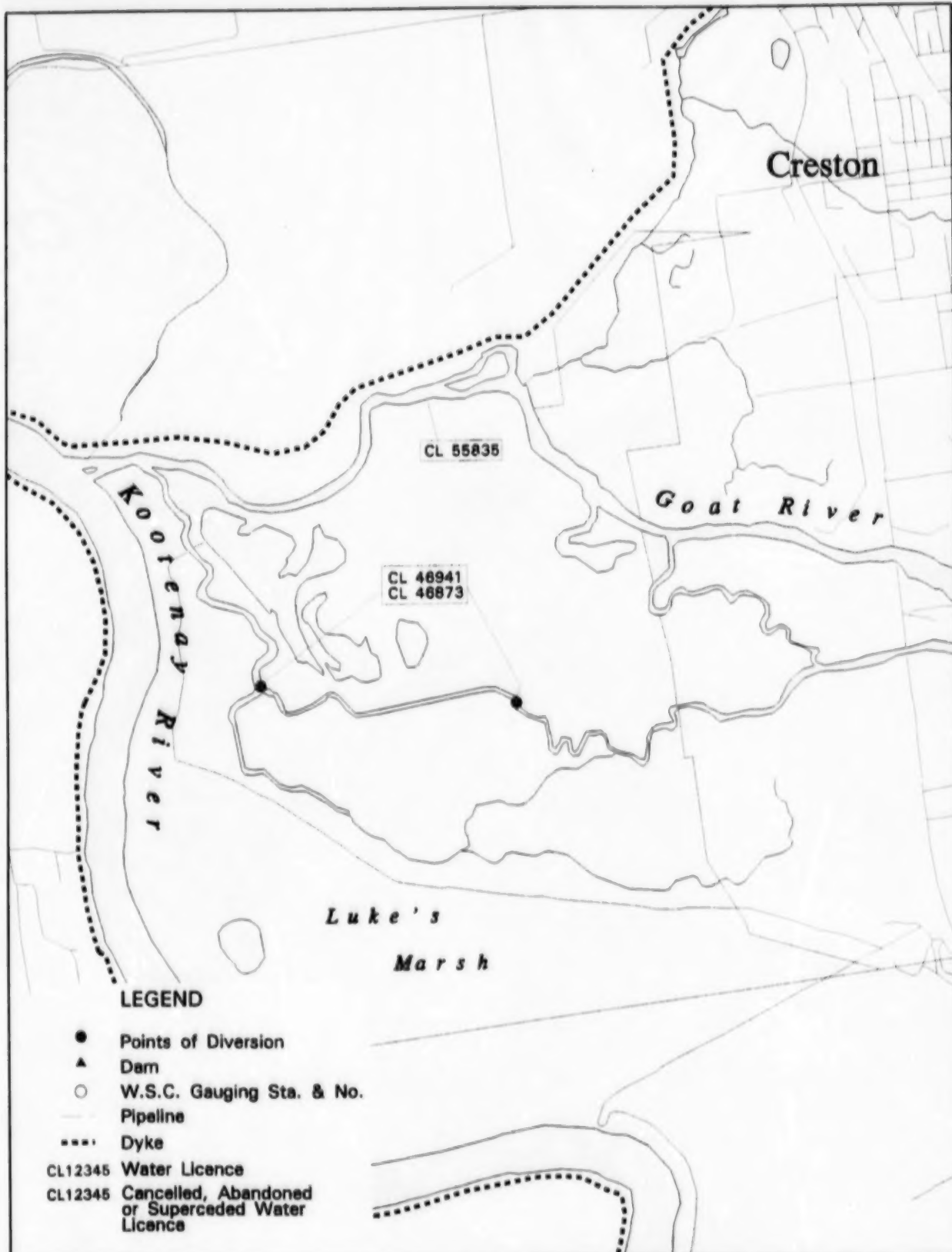
MCIS Map Area	Well No.	Well Tag No.	Lot No.	Plan No.	Site No.	Site Address	Date Constructed (Mm)	Well Depth (ft.)	Well Diam. (in.)	Drill Const. Method	Well Yield (ft.)	Well Yield (ft.)	Depth to Water (ft.)	Depth to Bedrock (ft.)	Aspif Litho	Screen Interval (ft.)	Chem. Lab
0827-008.3.2.3	001	000000000264		824	01 19 26 003	27	400 W of HWY 21	31.0	6.0	104	100.0	100.0	5	5	UNC	27-38	
0827-008.3.2.3	002	000000000278		824	01 19 26 003	27	400 W of HWY 21	31.0	6.0	104	100.0	100.0	5	5	UNC	27-38	
0827-008.3.2.4	001	000000025413		824	01 19 26 001	27	2R 1	31.0	6.0	101	100.0	100.0	5	5	UNC	27-38	
0827-008.3.2.4	002	000000037878		815601	01 19 26 001	27	400 W of HWY 21	31.0	6.0	104	100.0	100.0	5	5	UNC	27-38	
0827-008.3.2.4	003	000000037884		824	01 19 26 003	27	400 W of HWY 21	31.0	6.0	104	100.0	100.0	5	5	UNC	27-38	
0827-008.3.2.4	004	000000037884		824	01 19 26 004	27	400 W of HWY 21	31.0	6.0	104	100.0	100.0	5	5	UNC	27-38	
0827-008.3.2.4	005	000000000276		824	01 19 26 004	27	400 W of HWY 21	31.0	6.0	104	100.0	100.0	5	5	UNC	27-38	

DISCLAIMER: The Province disclaims all responsibility for the accuracy of this information. This information should not be used as a basis for making financial or any other commitments.



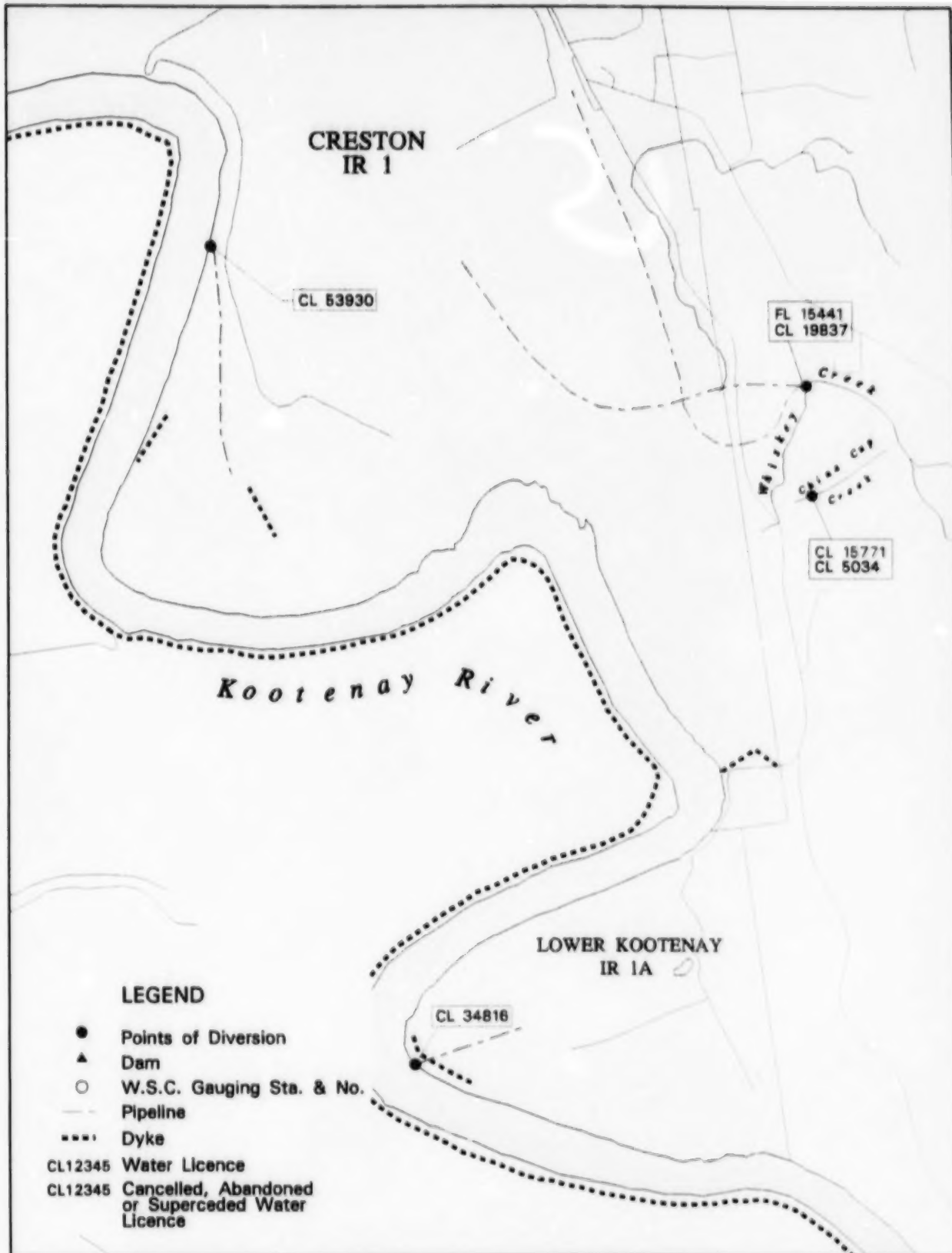
Lower Kootenay

Scale 1:125,000



Luke's Marsh

Scale 1:20,000



Whiskey Creek

Scale 1:20,000